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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
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11 MARCIANO PLATA, et al.,

12 *Plaintiffs,*

13 v.

14 ARNOLD SCHWARZENEGGER, et al.,

15 *Defendants.*
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Case No. C01-1351 TEH

**DECLARATION OF SUZANNE M.
AMBROSE IN SUPPORT OF
RECEIVER'S SUPPLEMENTAL
REPORT RE PHYSICIAN CLINICAL
COMPETENCY DETERMINATION
POLICIES AND PROCEDURES**

1 I, Suzanne M. Ambrose, declare as follows:

- 2 1. I am the Executive Officer for the State Personnel Board (hereinafter SPB) responsible
3 for implementing the civil service laws of the State of California and for overseeing all
4 operations of the SPB, including the Appeals Division. The Appeals Division employs
5 administrative law judges, analysts, and the requisite supervisory and support staff to
6 receive appeals from applicants to and employees within the State civil service system. In
7 particular, such include disciplinary actions taken against a state employee.
- 8 2. On or about August 18, 2008, I had a conversation with Linda Buzzini, attorney for the
9 Receiver, during which I made clear to Ms. Buzzini that the SPB was submitting a
10 Budget Change Proposal (BCP) requesting authority to collect reimbursements from the
11 Receiver for up to \$715,000 which would include funding for up to one Administrative
12 Law Judge position, one legal secretary position and a .6 analyst position, in addition to
13 the costs associated with the physicians. I reiterated to Ms. Buzzini what I had previously
14 stated to Receiver Kelso that the Receiver's Office would only be billed for actual costs
15 associated with the PPEC process. Because these positions are reimbursable rather than
16 general funded, SPB needs to ensure that the actual workload materializes and will be
17 permanent workload before hiring permanent, full-time civil service employees.
- 18 Therefore, the SPB anticipates utilizing part-time or retired annuitant staff on an as-
19 needed basis, depending upon the volume of the workload. As I explained to
20 Ms. Buzzini, if the projected workload does not materialize, then the Receiver will not be
21 billed for the maximum amount and the SPB will not receive reimbursements for the
22 maximum amount. In other words, "reimbursement authority" is the authorization to
23 receive funds up to that amount; it is not actual funding.

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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 Dated: September 19, 2008

/s/Suzanne M. Ambrose
Suzanne M. Ambrose

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5 I hereby attest that I have on file all holograph
6 signatures for any signatures indicated by a
7 "conformed" signature (/s/) within this efiled
8 document.

/s/Bruce A. Monfross
9 Bruce A. Monfross
10 Attorney for California State Personnel Board

CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

I am an employee of the law firm of Futterman & Dupree LLP, 160 Sansome Street, 17th Floor, San Francisco, CA 94104. I am over the age of 18 and not a party to the within action.

I am readily familiar with the business practice of Futterman & Dupree, LLP for the collection and processing of correspondence.

On September 19, 2008, I served a copy of the following document(s):

**DECLARATION OF SUZANNE M. AMBROSE IN SUPPORT OF RECEIVER'S
SUPPLEMENTAL REPORT RE PHYSICIAN CLINICAL COMPETENCY
DETERMINATION POLICIES AND PROCEDURES**

by placing true copies thereof enclosed in sealed envelopes, for collection and service pursuant to the ordinary business practice of this office in the manner and/or manners described below to each of the parties herein and addressed as follows:

— BY FACSIMILE: I caused said document(s) to be transmitted to the telephone number(s) of the addressee(s) designated.

X BY MAIL: I caused such envelope(s) to be deposited in the mail at my business address, addressed to the addressee(s) designated below. I am readily familiar with Futterman & Dupree's practice for collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business.

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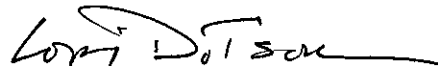
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I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury, under the laws of the united State of America, that the above is true and correct.

Executed on September 19, 2008 at San Francisco, California.



Lori Dotson